Katherine J. Odenbreit Class Action Litigation Group, APC 11111 Santa Monica Blvd., Suite 1000 Los Angeles, CA 90025

Telephone: 310-481-9851 Facsimile: 310-481-9854

kodenbreit@class-action-attorneys.com

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

IN RE PET FOOD PRODUCTS

LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

HART, et al. v. MENU FOODS, et al.

Civil Action No. 07-2867 (NHL)

MDL Docket No. 1850

NOTICE OF FILING PROOFS OF SERVICE

Attached please find Proofs of Service re Summons, First Amended Complaint, Odenbreit Declaration in the matter of Hart, et al. v. Menu Foods, et al.

Dated: June 20, 2008

CLASS ACTION LITIGATION GROUP, APC

Katherine J. Odenbreit

(By) DEPUTY CLERK

CENT	RAL District of	CALIFORNIA
	_	:
NNIFER HART, SHELLA KL WASHIN	NGION and MARIA	
ITCHEIL, individually and on I	pewarr or arr rughan	SUMMONS IN A CIVIL ACTION
imilarly situated, V.		ON FIRST AMENDED COMPLAINT
	CASE	ENUMBER: c07cv02779 GHK (AJW)
INU FOODS INCOME FUND; MENU F	OODS MIDWEST	·
RPORATION, MENU FOODS SOUTH	DAKOTA INC.,	
ENU FOODS, INC. MENU FOODS HO	IDINGS, INC.;	
IL MONTE FOODS COMPANY; NESTLE TICARE COMPANY, HILLS PET NOT	E PURILLA RITUTON: NUTRO PRODUC	TS. INC.
PLEASE SEE ATTACHMENT		, <u> </u>
TO: (Name and address of De		
•		c/o Alexander Shaknes
Menu Foods Income Fund; Menu F		DLA PIPER US LLP
Corporation, Menu Foods South Da	akota Inc., Menu Foods,	1251 Avenue of the Americas
Inc., Menu Foods Holdings, Inc.		New York, NY 10020-1104
YOU ARE HEREBY SUMM	ONED and required to serve	OE PLAINTIFF'S ATTORNEY (name and address)
Rene L. Barge (Califo Katherine J. Odenbrei CLASS ACTION LITICATT 11111 Santa Monica B Los Angeles, Californ Tel: (310 481-9851	t (California SBN 18 ON GROUP Soulevard, Ste. 1000	4619)
Fax: (310) 479-7051		
an answer to the complaint which is so of this summons on you, exclusive of for the relief demanded in the complaint of this Court within a reasonab	the day of service. If you fai aint. Any answer that you s	l to do so, judgment by default will be taken against yo erve on the parties to this action must be filed with th
	•	
CHEDDID OVELES		JUL 19 2007
CLERK	DATE	
TABITA G. BLEA	SEAL)	

	RETURN OF	SERVICE			
Service of the Summons and Complaint was made by me DATE 4/16/08					
NAME OF SERVER Gail Sutter TITLE Legal Assistant					
Check one box below to indicate appropriate the control of the con	oriate method of service				
Served personally upor	the defendant. Place where	served:			
Left copies thereof at the discretion then residing	ne defendant's dwelling, hous therein:	e or usual p	place of abode	e with a person of su	itable age and
Name of person	n with whom the summons a	nd complain	nt were left:		
Return unexecuted:				,	
Other (specify): cal	used to be overnight deliv	vered to a	ttorney of re	ecord 4/18/08	3
	STATEMENT OF SI	ERVICE F	EES		
TRAVEL		SERVICI	ES	TOTAL \$0.00	
I declare under penalty of perjury unthe Return of Service is true and correct. Executed on: 4/19/08	DECLARATION (ander the laws of the United S				on contained in
Date	e Signature	of Server		· · · · · · · · · · · · · · · · · · ·	<u> </u>
	-		might delive	ered to attorney of	record.
	Address o			a Monica Blvd., es, CA 90025	Suite 1000
NOTICE OF RIGHT TO CO	DNSENT TO TRIAL BY A		_	•	
IN ACCORDANCE WITH THE PROV MAGISTRATE OF THIS DISTRICT M PROCEEDINGS, INCLUDING A JURY COUNSEL FOR THE PLAINTIFF HAS YOU SHOULD BE AWARE THAT YO	IAY, UPON CONSENT OF Y OR NON-JURY TRIAL, A S RECEIVED A CONSENT	ALL PART AND ORDE <u>FORM.</u>	TES, CONDI ER THE ENT	JCT ANY OR ALL RY OF A FINAL Л	UDGMENT.
AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	SOLELY TO THE CLERK	OF COUR	T. ONLY IF	ALL PARTIES CO	NSENT WILL
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	E AND THE FEDERAL RU	LES OF A	U.S. COURT PPELLATE F	OF APPEALS IN PROCEDURE.	

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 7:11 AM

To: secretary@class-action-attorneys.com

Subject: FedEx Shipment 792685352343 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l of Odenbreit

Reference:

MENU FOODS

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 10:06 AM

Sign for by: Delivered to: S.WALKER Mailroom

Service type:

FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

792685352343

Shipper Information

Recipient Information

rene Barge

Alexander Shaknes

CLASS ACTION LITIGATION GROUP

DLA PIPER US LLP

11111 Santa Monica Blvd., #1000

1251 Avenue of the Americas

Los Angeles

New York

CA

NY US

បន 90025

100201104

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(By) DEPUTY CLERK

		OIVII DE			TT'A
 		CENTRAL	District of	CALIFOR	VIA
TICHELL	R HART, SHELLA L, individually Ly situated,	R:::WASHINGIO and on behal	N and MARIA . Lf of all indiv	•	ONS IN A CIVIL ACTION ST AMENDED COMPLAINT
			CA	SE NUMBER:	c07cv02779 GHK (AJW)
CORPORAT MENU FOC DEL MONT PETCARE	DS INCOME FUND TION, MENU FOOD DS, INC. MENU TE FOODS COMPAN COMPANY, HILLS FLEASE SEE AT	S SOUTH DAKO FOODS HOLDING Y; NESTLE PUI PET NUTRITIO	MA INC., GS, INC.;	ociś, inc.	
		nd address of Defendant	NATURAL BA	LANCE PET 1	FOODS, INC.
			c/o Thomas P. E	racaglia	
				ENNEHEY, V	WARNER, COLEMAN
			& GOGGIN 1845 Walnut St	reet, 21st Fl.	•
			Philadelphia, 19	•	
	YOU ARE HERE	BY SUMMONE	D and required to ser	ve on PLAINT	IFF'S ATTORNEY (name and address)
	CLASS ACTION	Odenbreit (C IITICATION G Monica Boule California 9 -9851	alifornia SBN 1 ROUP vard, Ste. 1000		
of this: for the	summons on you, ex relief demanded in	clusive of the day the complaint. A	on you with this sum of service. If you fail any answer that you od of time after serv	ail to do so, jud serve on the p	days after servic gment by default will be taken against ye arties to this action must be filed with the
CLERK	אי ב ומטראל	RTER	DAT	JUL 19	2007
<u> LERR</u>	TARITA G. RIE	L SEA	L)	_	

	RE	TURN OF	SERVICE			
Service of the Summons and Complaint was made by me DATE 4/16/08						
NAME OF SERVER Gail Sutter TITLE Legal Assistant			,			
Check one box below to indicate appropriate the control of the con	priate method of s	service				
Served personally upor	n the defendant. I	Place where	served:			
Left copies thereof at the discretion then residing	he defendant's dw g therein:	elling, hous	se or usual j	place of abode	e with a person of su	itable age and
Name of perso	n with whom the	summons a	nd complai	int were left:		
Return unexecuted:						
Other (specify): I can	STATEM				ecord 4/18/08	·
TRAVEL	SIAIEM	ENT OF SI				
11417 200			SERVIC	es	TOTAL \$0.00	
	DECLA	RATION (OF SERVE	ER		
I declare under penalty of perjury un the Return of Service is true and correct.	nder the laws of the	he United S	tates of Am			on contained in
Executed on: 4/19/08		<i>!!!</i> !	W/s	fuller	<u> </u>	
Date	e	Signature				
					ered to attorney of	
		Address o	1 Server	Los Angele	a Monica Blvd., S s, CA 90025	Suite 1000
NOTICE OF RIGHT TO CO	DNSENT TO TR	IAL BY A	UNITED	STATES MA	AGISTRATE	 -
IN ACCORDANCE WITH THE PROV MAGISTRATE OF THIS DISTRICT M PROCEEDINGS, INCLUDING A JURY COUNSEL FOR THE PLAINTIFF HAS	IAY, UPON CON Y OR NON-JUR'	ISENT OF A Y TRIAL, A	ALL PART ND ORDI	TEC COVIDI	TOT ANIV OD ATT	
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	SOLELY TO TI	HE CLERK	OF COUR	T. ONLY IF	ALL PARTIES COL	NICENIT MAIN I
JUDGEMENTS OF THE U.S. MAGIST	RATES ARE AP E AND THE FEL	PEALABLI DERAL RU	E TO THE LES OF AL	U.S. COURT PPELLATE P	OF APPEALS IN ROCEDURE.	

TrackingUpdates@fedex.com From: Sent: Friday, April 18, 2008 8:11 AM

secretary@class-action-attorneys.com To: Subject: FedEx Shipment 790987253140 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l Odenbreit

Reference:

Hart v. Menu Foods, et al

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 11:07 AM

Sign for by:

L.SMITH

Delivered to:

Receptionist/Front Desk

Service type:

FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

1.00 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

790987253140

Shipper Information

Recipient Information

rene Barge

Thomas P. Bracaglia

CLASS ACTION LITIGATION GROUP

Marshall, Dennehey Warner, etc. 1845 Walnut Street, 21st Fl.

11111 Santa Monica Blvd., #1000

Philadelphia

Los Angeles CA

PA IIS

US 90025

19102

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UNITED STATES DISTRICT COURT

	CENTRAL	District of	CALLFORNI	[A	
JENNIFER HART, SHETTA RIMITCHELL, individually a similarly situated,	nd on behalf of	all individu	ON FIRST	ONS IN A CIVIL AT AMENDED COMPLA CO7CV02779 CHK	INT
MENU FOODS INCOME FUND; CORPORATION, MENU FOODS MENU FOODS, INC. MENU FO DEL MONTE FOODS COMPANY; PETCARE COMPANY, HILLS E	SOUTH DAKOTA INC CODS HOLDINGS, II NESTLE PURINA	C., MC.;	s, inc.		

TO: (Name and address of Defendant)

PLEASE SEE ATTACHMENT

NUTRO PRODUCTS, INC. c/o William E. Wegner GIBSON DUNN & CRUTCHER LLP 333 S. Grand Avenue, 47th Fl. Los Angeles, CA 90071-3197

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SEN 182317)
Katherine J. Odenbreit (California SEN 184619)
CLASS ACTION LITICATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ________ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CHLEDIA VIBLE		JUL 19 2007
TABITA G. BLEA	(SEAL)	DATE
(By) DEPUTY CLERK		

· · · · · · · · · · · · · · · · · · ·						
		TURN OF	SERVICE			
Service of the Summons and Complai		ie		DATE 4/1	6/08	
NAME OF SERVER Gail Sutter	.			TITLE Le	gal Assistant	
Check one box below to indicate appro	opriate method of	service				
Served personally upo	on the defendant.	Place where	served:		-	
Left copies thereof at discretion then residing	the defendant's dv g therein:	velling, hou	se or usual	place of abod	e with a person of su	itable age and
Name of pers	on with whom the	summons a	ınd complai	int were left:		
Return unexecuted:						
	· ,	<u> </u>			ecord 4/18/09	
	STATEM	ENT OF S	ERVICE F	FEES		
TRAVEL			SERVIC	ES	TOTAL \$0.00	
I declare under penalty of perjury uthe Return of Service is true and correct Executed on: 4/19/08	inder the laws of t	RATION (foregoing information	on contained in
Dat	te	Signature	of Server	10000	-	
				might delive	ered to attorney of	record
		Address o	f Server	11111 Sant Los Angele	a Monica Blvd., a s, CA 90025	
NOTICE OF RIGHT TO CO	ONSENT TO TR	IAL BY A	UNITED	STATES M	AGISTRATE	
IN ACCORDANCE WITH THE PROVING A JURY PROCEEDINGS, INCLUDING A JURY COUNSEL FOR THE PLAINTIFF HAS YOU SHOULD BE AWARE THAT YOU	IAY, UPON CON Y OR NON-JURY S RECEIVED A (ISENT OF A Y TRIAL, A CONSENT	ALL PART IND ORDE <u>FORM.</u>	TES, CONDU TR THE ENT	JCT ANY OR ALL RY OF A FINAL JU	DGMENT.
OU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	VHOM THE CAS	HE CLERK E HAS BEI	OF COUR EN ASSIGN	T. ONLY IF NED BE INFO	ALL PARTIES COI ORMED OF YOUR	
UDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	RATES ARE AP E AND THE FEL	PEALABLI DERAL RUI	E TO THE	U.S. COURT	OF APPEALS IN	

Page 2 of 2

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 9:10 AM

To: secretary@class-action-attorneys.com

Subject: FedEx Shipment 799309921838 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number: summons/FAC

Purchase order number: Dec'; of Odenbreit

Reference: Hart v. Menu Foods, et al

Ship (P/U) date: Apr 17, 2008

Delivery date: Apr 18, 2008 9:07 AM

Sign for by: T.DAVIS
Delivered to: Mailroom

Service type: FedEx Standard Overnight

Packaging type: FedEx Envelope

Number of pieces:

Weight: 0.50 lb.

Special handling/Services: Deliver Weekday

Tracking number: 799309921838

Shipper Information Recipient Information rene Barge Wiliam E. Wegner

CLASS ACTION LITIGATION GROUP Gibson Dunn & Crutcher LLP
11111 Santa Monica Blvd., #1000 333 S. Grand Avenue, 47th Fl.

Los Angeles Los Angeles

CA CA US 90025 90071

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(By) DEPUTY CLERK

CENTRAL	District of	CALIFORNIA
		:
JENNIFER HART, SHEJFA KLWASHINGTON	N and MARIA Nf of all individ	ਾ. ਜਾੜੀ ਵ
JENNIFER HART, SHEITA RIMASHINGTON MITCHEIL, individually and on behal similarly situated,	IT OF STIT TIMES	SUMMONS IN A CIVIL ACTION
V.		ON FIRST AMENDED COMPLAINT
	CASE	NUMBER: c07cv02779 GHK (AJW)
TENU FOODS INCOME FUND; MENU FOODS CORPORATION, MENU FOODS SOUTH DAKOT TENU FOODS, INC. MENU FOODS HOLDING DEL MONTE FOODS COMPANY; NESTLE PUR	PAÍNC., SS, INC.; RINA	
PEICARE COMPANY, HILLS PET NUTRITION PLEASE SEE ATTACHMENT	N; NUIRO PRODUC	is, inc.
TO: (Name and address of Defendant)	DEL MONT	E FOODS COMPANY
	c/o Richard I	Fama
	COZEN O'C	
	-	Atrium, 16 th Floor
	New York, N	IY 10006
YOU ARE HEREBY SUMMONED Rene L. Barge (California Katherine J. Odenbreit (Ca CLASS ACTION LITTEATION GR 11111 Santa Monica Boulev Los Angeles, California 90 Tel: (310 481-9851 Fax: (310) 479-7051	SEN 182317) difornia SEN 184 COUP vard, Ste. 1000	OE PLAINTIFF'S ATTORNEY (name and address)
an answer to the complaint which is served or of this summons on you, exclusive of the day for the relief demanded in the complaint. Ar Clerk of this Court within a reasonable perior	of service. If you fail to my answer that you ser	to do so, judgment by default will be taken against you rve on the parties to this action must be filed with the
		•
CHLEDGE O WELLES	<u> </u>	UL 19 2007
TARITA C BITA SFAI	DATE	

	RET	TURN OF	SERVICE			
Service of the Summons and Complain	t was made by me	3		DATE 4/1	6/08	
NAME OF SERVER Gail Sutter				TITLE Le	gal Assistant	
Check one box below to indicate approp	priate method of s	ervice				
Served personally upon the defendant. Place where served:						
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:						
Name of person	n with whom the	summons a	nd complai	int were left:		
Return unexecuted:						
Other (specify): I caused to be overnight delivered to attorney of record ゼルルクタ						3
	STATEMI	ENT OF SI			T	Γ
TRAVEL			SERVIC	ES	TOTAL \$0.00	<u></u>
	DECLA	RATION (OF SERVI	ER		
I declare under penalty of perjury un the Return of Service is true and correct.	nder the laws of the	he United Si	tates of An			on contained in
Executed on: 4/19/08		<u></u>	W/S	futter	ノ	
Date	e	Signature				
		Address o			ered to attorney of ta Monica Blvd.,	
		_Address o		Los Angele	es, CA 90025	Suite 1000 _
NOTICE OF RIGHT TO CO	<u> NSENT TO TR</u>	CIAL BY A	UNITED	STATES M	AGISTRATE	
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.						
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	O SOLELY TO TI	HE CLERK	OF COUR	RT. ONLY IF	ALL PARTIES CO	NSENT WILL
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	RATES ARE AP E AND THE FEI	PEALABL DERAL RU	E TO THE LES OF A	U.S. COURT	OF APPEALS IN PROCEDURE.	

Page 2 of 2

From: TrackingUpdates@fedex.com
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Subject: FedEx Shipment 790495473141 Delivered

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Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Dec'l of Odenbreit

Purchase order number:

Summons/FAC

Reference:

Hart v. Menu Foods, et al

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 9:14 AM

Sign for by:

S.FORREST

Delivered to:

Receptionist/Front Desk

Service type:

FedEx Standard Overnight

Packaging type: Number of pieces: FedEx Pak

Manmer

1

Weight:

1.00 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

790495473141

Shipper Information

Recipient Information

rene Barge

Richard Fama

CLASS ACTION LITIGATION GROUP

Cozen O'Connor

11111 Santa Monica Blvd., #1000

45 Broadway Atrium, 16th Floor

Los Angeles

New York

CA

ny US

US 90025

US 10006

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UNITED STA	TES DIS	IRICI COOKI
CENTRAL	District of	CALIFORNIA
JENNIFER HART, SHEITA K. WASHINGTON and MITCHELL, individually and on behalf of similarly situated, V.	MARIA all indivi	ON FIRST AMENDED COMPLAINT
	CASI	ENUMBER: c07cv02779 GHK (AJW)
MENU FOODS INCOME FUND; MENU FOODS MIDWE CORPORATION, MENU FOODS SOUTH DAKOTA INCOMENU FOODS, INC. MENU FOODS HOLDINGS, INC. MENU FOODS HOLDINGS, INC. MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NU PLEASE SEE ATTACHMENT	c.;	rs, inc.
TO: (Name and address of Defendant)		S PET NUTRITION
		mes D. Arden
		EY AUSTIN LLP
		eventh Avenue
	New Y	York, NY 10019
YOU ARE HEREBY SUMMONED and re Rene L. Barge (California SBN 1 Katherine J. Odenbreit (Califor CTASS ACTION LITICATION GROUP 11111 Santa Monica Boulevard, Los Angeles, California 90025 Tel: (310 481-9851 Fax: (310) 479-7051	82317) nia SBN 18	on PLAINTIFF'S ATTORNEY (name and address)
an answer to the complaint which is served on you of this summons on you, exclusive of the day of serv for the relief demanded in the complaint. Any answ Clerk of this Court within a reasonable period of tire	ice. If you fail wer that you se	to do so, judgment by default will be taken against your on the parties to this action must be filed with the
CHLEDGE DE UNBLEB		JUL 19 2007
TADITA C DIES SFAI	DATE	

	RETURN O	F SERVICE			
Service of the Summons and Complain	nt was made by me		DATE 4/1	6/08	
NAME OF SERVER Gail Sutter	,		TITLE Le	gal Assistant	· -
Check one box below to indicate appro	opriate method of service				<u></u>
Served personally upo	on the defendant. Place when	re served:			
Left copies thereof at discretion then residin	the defendant's dwelling, hou g therein:	use or usual pl	ace of abode	with a person of su	itable age and
	on with whom the summons	and complain	t were left:		
Return unexecuted:					
Other (specify): I ca	used to be overnight del	ivered to att	orney of re	cord 4/18/08	3
	STATEMENT OF S	ERVICE FE	ES		
TRAVEL		SERVICES	3	TOTAL \$0.00	
I declare under penalty of perjury u	DECLARATION under the laws of the United S			foregoing informati	
the Return of Service is true and correct. Executed on: 4/19/08	M	Wild H	utter		in contained in
Dat	e Signature	of Server			
			ight deliver	ed to attorney of	record.
	Address of	of Server 1: L	i I I I Santa os Angeles	Monica Blvd., S s, CA 90025	
NOTICE OF RIGHT TO CO					
N ACCORDANCE WITH THE PROV MAGISTRATE OF THIS DISTRICT M PROCEEDINGS, INCLUDING A JURY COUNSEL FOR THE PLAINTIFF HAS	Y OR NON-TIRY TRIAL	ALL PARTIE			
OU SHOULD BE AWARE THAT YO ND SHOULD BE COMMUNICATED HE JUDGE OR MAGISTRATE TO W	/ SCH PC Y 111 / HE / 1 GDV	CHECKNINT	~~ IT ** **		
UDGEMENTS OF THE U.S. MAGIST CCORDANCE WITH THIS STATUTI	RATES ARE APPEALABL E AND THE FEDERAL RU	ሮ ምስ ጥሀድ ፣፣	e corme	OT 4555	

From: TrackingUpdates@fedex.com Friday, April 18, 2008 6:31 AM Sent:

secretary@class-action-attorneys.com To:

Subject: FedEx Shipment 791886747318 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l of Odenbreit Hart v. Menu Foods

Ship (P/U) date:

Apr 17, 2008

Y.FINKELHSTYN

Delivery date:

Apr 18, 2008 9:19 AM

Sign for by: Delivered to:

Reference:

Shipping/Receiving FedEx Standard Overnight

Service type: Packaging type:

FedEx Envelope

Number of pieces:

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

791886747318

Shipper Information

Recipient Information

rene Barge

James D. Arden

CLASS ACTION LITIGATION GROUP

Sidley Austin LLP 787 Seventh Avenue

11111 Santa Monica Blvd., #1000 Los Angeles

New York

ÇA

NY

US

US

90025

10019

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<u> </u>			1	
e	ENTRAL	District of	CALIFORNIA	
		•	•	
ENNIFER HART, SHELLA KWA ITCHELL, individually and imilarly situated, V.	SHINGION and on behalf of	MARTA . Fall indivi	CONFIRST AMENDED COMPLAINT	
		CAS	SE NUMBER: c07cv02779 GHK (AJW)	-
MENU FOODS INCOME FUND; MENU CORPORATION, MENU FOODS SOUMENU FOODS, INC. MENU FOODS DEL MONTE FOODS COMPANY; NE PETCARE COMPANY, HILLS PET PLEASE SEE ATTACHM	TH DAKOTA II HOLDINGS, STLE PURINA NUTRITION;	NC.; INC.; NUTRO PRODUC		
TO: (Name and address			JRINA PETCARE COMPANY	
•		c/o Craig A.	Hoover	
		UCCAN & I	HARTSON LLP	
		Columbia So	guare, 5555 Thirteenth St. NW	
		Washington.	, DC 20004-1109	
Rene L. Barge (Cal Katherine J. Odeni CIASS ACTION LITTO 11111 Santa Monic Los Angeles, Calin Tel: (310 481-985; Fax: (310) 479-70;	preit (Calif ATTON GROUP TA Boulevard Fornia 90025 1 51	l, Ste. 1000		vice
of this summons on you, exclusive for the relief demanded in the conclusive Clerk of this Court within a reas	mplaint Any a	inswer that you s	serve on the parties to this action thus, be then will	h th
CTEKK UNDER UNBER	7	DATE:	JUL 19 2007	
TABITA G. BLEA (By) DEPUTY CLERK	SEAL)		
	•	-		

RETURN OF SERVICE							
Service of the Summons and Complaint was made by me DATE 4/16/08							
NAME OF SERVER Gail Sutter TITLE Legal Assistant							
Check one box below to indicate appropriate control of the control	oriate method of service		•				
Served personally upor	Served personally upon the defendant. Place where served:						
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:							
Name of person	n with whom the summons ar	nd complair	nt were left:				
Return unexecuted:							
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08							
	STATEMENT OF SE	RVICE F	EES				
TRAVEL		SERVICE	S	TOTAL \$0.00			
I declare under penalty of perjury us the Return of Service is true and correct. Executed on: 4/13/08	DECLARATION Conder the laws of the United St				on contained in		
Dat	e Signature	of Server		—— <u>" </u>			
			night delive	ered to attorney of	record.		
	Address o			ta Monica Blvd.,	Suite 1000		
NOTICE OF RIGHT TO CO	ONSENT TO TRIAL BY A		_	es, CA 90025 agistrate			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.							
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	O SOLELY TO THE CLERK	OF COUR	T. ONLY IF	ALL PARTIES CO	NSENT WILL		
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	TRATES ARE APPEALABLE E AND THE FEDERAL RU	E TO THE LES OF AI	U.S. COURT PPELLATE F	OF APPEALS IN PROCEDURE.			

TrackingUpdates@fedex.com From:

Sent: Friday, April 18, 2008 6:25 AM

To: secretary@class-action-attorneys.com Subject: FedEx Shipment 798922594347 Delivered

This tracking update has been requested by:

Company Name: CLASS ACTION LITIGATION GROUP

Name: rene Barge

E-mail: secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Summons/FAC Invoice number:

Dec'l of Odenbreit Purchase order number:

Reference: Hart v. Menue Foods, etal

Ship (P/U) date: Apr 17, 2008

Delivery date: Apr 18, 2008 9:21 AM

C.BELTON Sign for by:

Delivered to: Shipping/Receiving

FedEx Standard Overnight Service type:

Packaging type: FedEx Envelope

Number of pieces:

Weight: 1.00 lb.

Special handling/Services: Deliver Weekday

Tracking number: 798922594347

Recipient Information Shipper Information

rene Barge Craig a. Hoover CLASS ACTION LITIGATION GROUP Hogan & Hartson LLP

Columbia Square; 5555 Thirteenth 11111 Santa Monica Blvd., #1000

St. NW Los Angeles

Washington CA

US 90025

200041109

DC

US

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above,

			VIIED DI. VIRAL	District of	CALIFORNIA	
					:	
NNIFER H	ART, SHEUL	R WAS	HINGION and	MARIA all individ	iduals - core at a gray A CEION	
ITCHELL, :	individual. situated,	Ly and o	II DENATI OI	. 6.11 11.11.	SUMMONS IN A CIVIL ACTION	
mirrar + 3	11 (da. 10-)	V.			ON FIRST AMENDED COMPLAINT	
				CASI	SE NUMBER: c07cv02779 GHK (AJW)	•
ORPORATIO	n, menu foo , inc. menu Foods compi	ODS SOUT J FOODS ANY: NES	FOODS MIDV H DAKOTA IN HOLDINGS, I	IC.;		
EICARE CO	mpany, hill Ease see	ls pet n	UTRITION: I	NUTRO PRODUC	CIS, INC.	
	TO: (Nam	e and address	of Defendant)	PETSMAR	•	
				•	C. Weinstein, Esq.	
				•	ANDERS & DEMPSEY LLP	
				•	Tower, 127 Public Square OH 44114-1304	
				Cic voiding,	OII +1114-1301	
Y	OU ARE HEF	REBY SUN	IMONED and	required to serve	e on PLAINTIFF'S ATTORNEY (name and address)	
I (: :	Katherine J IASS ACTIO 11111 Santa	Odenbr N LITICA Monica , Califo 81-9851	ATION GROUP Boulevard Ornia 90025	ornia SBN 18 , Ste. 1000		
of this sur	mmons on you lief demanded	, exclusive in the con	of the day of so uplaint. Any a	ervice II voji la	amons, within	YV
					•	
,	כ ימסונאן	O BTED			JUL 19 2007	
CLERK				DATI		
	ABITA G. BI	EA	SEAL			
(By) DEPUT	TY CLERK		\	/		

RETURN OF SERVICE							
Service of the Summons and Complaint was made by me DATE 4/16/08							
NAME OF SERVER Gail Sutter			TITLE Le	gal Assistant			
Check one box below to indicate approp	oriate method of service						
Served personally upon the defendant. Place where served:							
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:							
Name of person	n with whom the summons	and complain	int were left:		<u> </u>		
Return unexecuted:							
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08							
	STATEMENT OF	SERVICE I	FEES	· · · · · · · · · · · · · · · · · · ·	·		
TRAVEL		SERVIC	ES	TOTAL \$0.00			
I declare under penalty of perjury u	DECLARATION			foregoing information	on contained in		
the Return of Service is true and correct. Executed on: 4/19/08	1	mil s	futter		or committee in		
Date	e Signatu	re of Server		·			
	_		rnight delive	ered to attorney of	record.		
	Addres	s of Server	11111 San Los Angele	ta Monica Blvd., es, CA 90025	Suite 1000		
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE							
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.							
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	O SOLELY TO THE CLER	K OF COU	RT. ONLY IF	ALL PARTIES CO	NSENT WILL		
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	RATES ARE APPEALAGE AND THE FEDERAL F	ULES OF A	U.S. COURT	OF APPEALS IN PROCEDURE.			

TrackingUpdates@fedex.com From:

Friday, April 18, 2008 7:02 AM Sent:

To: secretary@class-action-attorneys.com

Subject: FedEx Shipment 798922643886 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l Odenbreit

Reference:

Hart v. Menu Foods, et al

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 9:47 AM

Sign for by:

T.MICHAELAKES

Delivered to:

Mailroom

Service type:

FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

Weight:

1.00 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

798922643886

Shipper Information

rene Barge

Recipient Information

CLASS ACTION LITIGATION GROUP

Joseph C. Weinstein

11111 Santa Monica Blvd., #1000

Squire Sanders & Dempsey LLP 4900 Key Tower; 127 Public

Los Angeles

Square

Cleveland

CA บร

OH

90025

US 44114

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T	INITED	STATES	DISTRIC	T COURT
L	JINLLED	DIVIDO	DISTRIC	

			ENTRAL	District of	CALIFORNIA
				-	:
JENNIFER HA	ART, SHELL individual	ARLW lv and	ASHINGION ar on:behalf o	od MARIA of all individ	SUMMONS IN A CIVIL ACTION
similarly s	situated,	Y			SUMMONS IN A CIVIL ACTION
_		V.			ON FIRST AMENDED COMPLAINT
				CASE	ENUMBER: c07cv02779 GHK (AJW)
CORPORATION MENU FOODS, DEL MONTE I PETCARE COM	N, MENU FO , INC. MEN FOODS COMP MPANY, HIL	ODS SOU IU FOODS ANY; NI LS PET		NC., INC.;	TS, INC.
PL	EASE SEE				
	IO. (Nai	ne and actire	ss of Defendant)	THE IAMS (
				c/o D. Jeffrey	/ Ireland
				10 North Luc	nd & Cox, PLL
				Dayton, OH	
				Dayton, O11	
YC	U ARE HE	REBY SU	IMMONED and	l required to serve	on PLAINTIFF'S ATTORNEY (name and address)
Ka CI 11 Lo Te	atherine J LASS ACTIO L111 Santa	N LITIC Monic Calif 81-9851	ATTON GROUP ca Boulevard Tornia 90025 L	ornia SBN 184 , Ste. 1000	1 619)
of this sum for the relie	mons on you, ef demanded	exclusive in the co	e of the day of some		to do so, judgment by default will be taken against you rve on the parties to this action must be filed with the
) כומטון) ARTER		J	UL 19 2007
CLERK				DATE	
	BITA G. BL	EA	SEAL	}	
(By) DEPUTY (CLERK			/ 	

RETURN OF SERVICE							
Service of the Summons and Complaint was made by me DATE 4/16/08							
NAME OF SERVER Gail Sutter	TITLE	TITLE Legal Assistant					
Check one box below to indicate approp	riate method of service						
Served personally upon	Served personally upon the defendant. Place where served:						
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:							
Name of person	n with whom the summons and	l complaint were	left:				
Return unexecuted:							
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08							
	STATEMENT OF SE	RVICE FEES		1			
TRAVEL		SERVICES	TOTAL \$0.00				
I declare under penalty of perjury u the Return of Service is true and correct		tes of America th	at the foregoing information	on contained in			
Executed on: 4/19/08		7/ 1/00					
Dat			delivered to attorney of	f record.			
	Address of	Server 11111	Santa Monica Blvd., .ngeles, CA 90025				
NOTICE OF RIGHT TO C	NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE						
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.							
YOU SHOULD BE AWARE THAT Y AND SHOULD BE COMMUNICATE THE JUDGE OR MAGISTRATE TO	D SOLELY TO THE CLERK	OF COURT. ON	ILY IF ALL PARTIES CO	ONSENT WILL			
JUDGEMENTS OF THE U.S. MAGIS' ACCORDANCE WITH THIS STATU	TRATES ARE APPEALABLI TE AND THE FEDERAL RU	LES OF APPELL	OURT OF APPEALS IN ATE PROCEDURE.				

From: TrackingUpdates@fedex.com

Sent: Friday, April 18, 2008 10:04 AM

To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 798922668916 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l Of Odenbreit Hart v. Menu Foods, et al

Reference: Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 1:00 PM

Sign for by:

B.KRUKER

Delivered to:

Receptionist/Front Desk FedEx Standard Overnight

Service type: Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

1.00 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

798922668916

Shipper Information

Recipient Information

rene Barge

D. Jeffrey Ireland

CLASS ACTION LITIGATION GROUP

Frauki, Ireland & Cox, PLL

11111 Santa Monica Blvd., #1000

10 North Ludlaw Street

Los Angeles

Dayton OH

CA US

US

90025

45402

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UNITED ST	IATES DIS	IRICI COURI
CENTRAL	_ District of	CALLFORNIA
ENNIFER HART, SHEITA RIWASHINGTON an ITCHEIL, individually and on behalf o	d MARIA f all indivi	duals SUMMONS IN A CIVIL ACTION
similarly situated, V.		ON FIRST AMENDED COMPLAINT
	CASI	ENUMBER: c07cv02779 GHK (AJW)
MENU FOODS INCOME FUND; MENU FOODS MID CORPORATION, MENU FOODS SOUTH DAKOTA I MENU FOODS, INC. MENU FOODS HOLDINGS, DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION;	NC., INC.;	rs'. INC.
PLEASE SEE ATTACHMENT		
TO: (Name and address of Defendant)		FOR & GAMBLE COMPANY
	c/o D. Jeffrey Frauki Irelar	y Ireland nd & Cox, PLL
	10 North Luc	·
	Dayton, OH	45402
YOU ARE HEREBY SUMMONED and Rene L. Barge (California SEN Katherine J. Odenbreit (Calif CIASS ACTION LITICATION GROUP 11111 Santa Monica Boulevard Los Angeles, Califfornia 90025 Tel: (310 481-9851 Fax: (310) 479-7051	1 182317) Tornia SBN 18 1, Ste. 1000	on PLAINTIFF'S ATTORNEY (name and address) 4619)
for the relief demanded in the complaint. Any a Clerk of this Court within a reasonable period of	ervice. If you fail inswer that you so f time after service	I to do so, judgment by default will be taken against you erve on the parties to this action must be filed with the
CHEDDIS UNBLES		1 9 7007
TABITA G. BLEA SEAL	DATE	
LOST TOTAL COLORAGE		

	RETURN OI	FSERVICE				
Service of the Summons and Complain	6/08					
NAME OF SERVER Gail Sutter		TITLE Le	gal Assistant			
Check one box below to indicate approp	priate method of service					
Served personally upon the defendant. Place where served:						
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:						
Name of perso	n with whom the summons	and compla	int were left:			
Return unexecuted:						
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08						
	STATEMENT OF	SERVICE I	FEES	<u> </u>		
TRAVEL		SERVIC	ES	TOTAL \$0.00		
I declare under penalty of perjury uthe Return of Service is true and correct.	DECLARATION ander the laws of the United				on contained in	
Executed on: 4/19/08		mus \	Tune		·	
Dat		re of Server	rnight delive	ered to attorney of	'un name	
		of Server	11111 Sam	ta Monica Blvd., es, CA 90025		
NOTICE OF RIGHT TO CO	ONSENT TO TRIAL BY	A UNITED	_			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.						
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	O SOLELY TO THE CLER	K OF COU	RT. ONLY IF	ALL PARTIES CO	NSENT WILL	
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	RATES ARE APPEALAB E AND THE FEDERAL R	LE TO THE ULES OF A	U.S. COURT PPELLATE I	OF APPEALS IN PROCEDURE.		

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 10:04 AM

To: secretary@class-action-attorneys.com

Subject: FedEx Shipment 790987379771 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l of Odenbreit

Reference:

Hart v. Menu Foods, et al

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 1:00 PM

Sign for by:

B.KRUKER

Delivered to: Service type: Receptionist/Front Desk FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

1.00 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

790987379771

Shipper Information

Recipient Information

rene Barge

D. Jeffrey Ireland

CLASS ACTION LITIGATION GROUP

Frauki, Ireland & Cox, PLL

11111 Santa Monica Blvd., #1000

10 North Ludlaw Street

Los Angeles

Dayton OH

CA US

บร

US 90025

45402

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UNITED STATES DISTRICT COURT

	CENTRAL	District of	CALIFORNIA	
JENNIFER HART, SHELLA MITCHELL, individually similarly situated,	R. WASHINGTON and y and on behalf of V.	MARIA all indivi	iduals SUMMONS IN A CIVIL ACTION ON FIRST AMENDED COMPLAINT	
		CAS	SE NUMBER: c07cv02779 GHK (AJW)	
MENU FOODS INCOME FUNI CORPORATION, MENU FOOD MENU FOODS, INC. MENU DEL MONTE FOODS COMPAN PEICARE COMPANY, HILL PLEASE SEE A	DS SOUTH DAKOTA IN FOODS HOLDINGS, I NY; NESTLE PURINA S PET NUTRITION; N	C., NC.;	cis, inc.	
TO: (Name	and address of Defendant)	CHEMN	IUTRA	
		Anthony	Gerard Brazil	
			S POLICH & PURDY	
			17 th Street, 24 th Fl.	
		Los Ange	geles, CA 90017-2503	
YOU ARE HERI	EBY SUMMONED and a	equired to serve	re on PLAINTIFF'S ATTORNEY (name and address)	
Katherine J. CIASS ACTION 11111 Santa		mia SBN 18	34619)	
an answer to the complain of this summons on you, e for the relief demanded in Clerk of this Court within	n the complaint. Any an	swer that you s	mons, within <u>30 Zo</u> days after servil to do so, judgment by default will be taken against serve on the parties to this action must be filed with see.	vice yo th
01155 p			JUL 10 5307	

DATE

SEAL

TABITA G. BLEA

(By) DEPUTY CLERK

CLERK

	RET	URN OF	SERVICE	2		
Service of the Summons and Complain	it was made by me			DATE 4/1	6/08	
NAME OF SERVER Gail Sutter				TITLE Le	gal Assistant	
Check one box below to indicate appropriate the control of the con	priate method of se	rvice				
Served personally upor	n the defendant. Pl	lace where	served:			
Left copies thereof at the discretion then residing	he defendant's dwe g therein:	lling, hous	se or usual j	place of abod	e with a person of su	iitable age and
Name of perso	on with whom the s	ummons a	nd complai	int were left:	······	
Return unexecuted:						
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08						
	STATEME	NT OF SI				_
TRAVEL			SERVIC	ES	TOTAL \$0.00	<u> </u>
			OF SERVE			
I declare under penalty of perjury un the Return of Service is true and correct.	nder the laws of the	United S	tates of Am	/		on contained in
Executed on: 4/19/08	•		W/s	futter	<u>ノ</u>	
Date	_	Signature				
	I				ered to attorney of	
		Address o	I Server	Los Angele	a Monica Blvd., es, CA 90025	Suite 1000
NOTICE OF RIGHT TO CO	INSENT TO TRI	AL BY A	UNITED	STATES M.	AGISTRATE	
IN ACCORDANCE WITH THE PROV MAGISTRATE OF THIS DISTRICT M PROCEEDINGS, INCLUDING A JURY COUNSEL FOR THE PLAINTIFF HAS	AY, UPON CONS Y OR NON-JURY	ENT OF A	ALL PART	TEC COVIDA	TOT ANIM OD ATT	
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	SOLELY TO TH	E CLERK	OF COUR	T ONLY IF	ALL DARTIES CO	NICHANITE HAZZY A
JUDGEMENTS OF THE U.S. MAGISTS ACCORDANCE WITH THIS STATUTS As to who may serve a summons see Ru	E AND THE FEDE	ERAL RU	LES OF AF	PPELLATE P	OF APPEALS IN ROCEDURE.	

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 8:44 AM

To: secretary@class-action-attorneys.com

Subject: FedEx Shipment 798922606984 Delivered

This tracking update has been requested by:

Company Name:

CLASS ACTION LITIGATION GROUP

Name:

rene Barge

E-mail:

secretary@class-action-

attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:

Summons/FAC

Purchase order number:

Dec'l of Odenbreit

Reference:

Hart v. Menu Foods, et al

Ship (P/U) date:

Apr 17, 2008

Delivery date:

Apr 18, 2008 8:41 AM

Sign for by:

T.WILDER Mailroom

Delivered to:

FedEx Standard Overnight

Service type: Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

798922606984

Shipper Information

rene Barge

Recipient Information Anthony Gerard Brazil

CLASS ACTION LITIGATION GROUP 11111 Santa Monica Blvd., #1000

Morris Polich & Purdy 1055 W. 17th Street, 24th Fl.

Los Angeles

Los Angeles

CA

CA

US

US

90025

900172503

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(By) DEPUTY CLERK

	CITIED 51	.11120 2010	1	· · · · · · · · · · · · · · · · · · ·
	CENTRAL	District of	CALIFORN.	<u></u>
ENNIFER HART, SHELLA R.: HITCHELL, individually and similarly situated, V.	WASHINGION and ad on behalf o	d MARTA . f all individ		ONS IN A CIVIL ACTION F AMENDED COMPLAINT
		CASE	NUMBER:	c07cv02779 GHK (AJW)
MENU FOODS INCOME FUND; MENU FOODS S MENU FOODS, INC. MENU FOOD DEL MONTE FOODS COMPANY; PETCARE COMPANY, HILLS PE PLEASE SEE ATTAC	OUTH DAKOTA I DS HOLDINGS, NESTLE PURINA T NUTRITION;	NC., INC.;	rs, inc.	
TO: (Name and add		- t	- Incomb (C)	Wainstain Eas
1 O. (Haine and and			-	Weinstein, Esq.
PETCO ANIMAL SUPP	LIES STORES	~ . ~	•	DERS & DEMPSEY LLP
PETCO ANIMAL SUPP	•	• • • • • • • • • • • • • • • • • • • •	00 Key Tow	
PETCO SOUTHWEST, I			7 Public Squared OF	uare I 44114-1304
Rene L. Barge (C Katherine J. Ode CLASS ACTION LIT 11111 Santa Mon Los Angeles, Cal Tel: (310 481-98 Fax: (310) 479-7	mbreit (Calif TIGATION GROUP Lica Boulevard Liffornia 90025 351	ornia SBN 184 , Ste. 1000	1 619)	
an answer to the complaint whit of this summons on you, exclus for the relief demanded in the Clerk of this Court within a rea	sive of the day of so complaint. Any a	ervice. If you fail nswer that you se time after service	to do so, judg rve on the pa :.	ment by default will be taken against yo rties to this action must be filed with th
לאונט ב ומפודול	FR		IUL 192	2007
CLERK TARITA G RIFA	SEAL	DATE		

	RETURN OF	SERVICE	,			
Service of the Summons and Complain		DATE 4/16/08				
NAME OF SERVER Gail Sutter			TITLE Le	gal Assistant		
Check one box below to indicate appropriate appropriate contraction of the contract of the con	priate method of service					
Served personally upor	n the defendant. Place where	e served:				
Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:						
Name of perso	on with whom the summons	and complai	int were left:		<u> </u>	
Return unexecuted:					•	
Other (specify): I caused to be overnight delivered to attorney of record 4/18/08						
	STATEMENT OF S	1		· · · · · · · · · · · · · · · · · · ·		
TRAVEL		SERVIC	ES	TOTAL \$0.00	<u> </u>	
	DECLARATION	OF SERVE	ER			
I declare under penalty of perjury un the Return of Service is true and correct.	nder the laws of the United S	States of Am	/		on contained in	
Executed on: 4/19/08		all s	fuller			
Date	_	e of Server				
				ered to attorney of		
	Address	of Server	Los Angele	ta Monica Blvd., i es, CA 90025	Suite 1000	
NOTICE OF RIGHT TO CO	INSENT TO TRIAL BY A					
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.						
YOU SHOULD BE AWARE THAT YO AND SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO W	O SOLELY TO THE CLERK	COF COUR	T. ONLY IF	ALL PARTIES CO	NICENT WITH	
JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT	E AND THE FEDERAL RU	ILES OF A	PPELLATE P	OF APPEALS IN PROCEDURE.		

TrackingUpdates@fedex.com From:

Friday, April 18, 2008 7:02 AM Sent:

secretary@class-action-attorneys.com To:

Subject: FedEx Shipment 792685372460 Delivered

This tracking update has been requested by:

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rene Barge Name:

secretary@class-action-E-mail:

attorneys.com

Our records indicate that the following shipment has been delivered:

Summons/FAC Invoice number:

Dec'l of Odenbreit Purchase order number: Hart v. Menu Foods, et al

Reference:

Apr 17, 2008 Ship (P/U) date:

Apr 18, 2008 9:47 AM Delivery date:

T.MICHAELAKES Sign for by: Mailroom Delivered to:

FedEx Standard Overnight Service type:

FedEx Envelope Packaging type:

Number of pieces:

1.00 lb. Weight:

Deliver Weekday Special handling/Services:

792685372460 Tracking number:

Recipient Information Shipper Information Joseph C. Weinstein

rene Barge Squire Sanders & Dempsey LLP CLASS ACTION LITIGATION GROUP

4900 Key Tower; 127 Public 11111 Santa Monica Blvd., #1000

Square Los Angeles Cleveland

CA OH US US 90025 44114

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4/18/2008

RENE L. BARGE, SBN 182317 KATHERINE J. ODENBREIT, SBN 184619 CLASS ACTION LITIGATION GROUP 11111 SANTA MONICA BLVD. SUITE 1000 LOS ANGELES, CA. 90025

TEL: (310) 481-9851 FAX: (310) 479-7051

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CENTRA	AL DISTRIC	T OF CALIFORNIA			
JENNIFER HART, SHEILA R. WASH		CASE NUMBER: 07CV02779GHK (AJW)			
v.	Plaintiff(s)	<u> </u>			
MENU FOODS INCOME FUND Defendant(s)		PROOF OF SERVICE SUMMONS AND COMPLAINT (Use separate proof of service for each person/party served)			
	—————				
1. At the time of service I was at least 18 years a. x summons compla		arty to this action and I served copies of the (specify documents): alias summons first amended complaint second amended complaint third amended complaint			
other (specify): SEE ATTACHME	ENT				
2. Person served:					
a. 🗷 Defendant (name): WAL-MART	a. 🗶 Defendant (name): WAL-MART STORES, INC, CT CORPORATION, AGENT FOR SERVICE				
	b. Other (specify name and title or relationship to the party/business named): MARGARET WILSON, AUTHORIZED TO ACCEPT				
c. Address where papers were served:	818 W 7TH S	T., LOS ANGELES, CA. 90017			
 Manner of Service in compliance with (the appropriate box must be checked): a. Federal Rules of Civil Procedure 					
				 b. Z California Code of Civil Procedure 	
4. I served the person named in Item 2:					
a. By Personal service. By personally conservator or similar fiduciary and	. If the person is a minor, by leaving copies with a parent, guardian east twelve (12) years of age.				
1. Papers were served on (date):	: 04/28/08	at (time): 2:50 PM			
b. By Substituted service. By leaving copies:					
1. (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the procompetent member of the household, at least 18 years of age, who was informed of the general nature of the					
 (business) or a person apparent of the general nature of the pap 		office of place of business, at least 18 years of age, who was informed			
3. Papers were served on (date):		at (time):			
4. by mailing (by first-class mail, were left in Item 2(c).	postage prepaid) c	copies to the person served in Item 2(b) at the place where the copies			
5. papers were mailed on (date):					
		o personally serve the defendant.			
· ·	•				

	c.	Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the pers served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, posta prepaid addressed to the sender. (Attach completed Waiver of Service of Summons and Complaint).			
	d.	X	4(h)) (C.C.P. 416.10) By delivering, during usual business managing or general agent, or to any other agent authorized b	hours, a copy of the summons and complaint to an officer, a papelint to	
	e.		(C.C.P. 415.20 only) By leaving during usual office hours, a served with the person who apparently was in charge and the	rated association (including partnership), or public entity. copy of the summons and complaint in the office of the person creafter by mailing (by first-class mail, postage prepaid) copies I compliance with C.C.P. 415.20. Substitute service upon the n a copy of the order to this Proof of Service).	
	f.		Service on a foreign corporation. In any manner prescribe	ed for individuals by FRCP 4(f).	
	g.			dress outside California (by first-class mail, postage prepaid, ach signed return receipt or other evidence of actual receipt	
	h.		Other (specify code section and type of service):		
5.	Sei	vice	upon the United States, and Its Agencies, Corporations or	Officers.	
	a.		accept service, pursuant to the procedures for the Office of th	erical employee designated by the U.S. Attorney authorized to e U.S. Attorney for acceptance of service, or by sending a copy at addressed to the civil process clerk at the U.S. Attorneys	
			Name of person served:		
			Title of person served:		
			Date and time of service: (date):	at (time):	
	b.		By sending a copy of the summons and complaint by register at Washington, D.C. (Attach signed return receipt or other	ed or certified mail to the Attorney General of the United States revidence of actual receipt by the person served).	
	c.		By sending a copy of the summons and complaint by regi (Attach signed return receipt or other evidence of actual	stered or certified mail to the officer, agency or corporation receipt by the person served).	
6.	At	the ti	me of service I was at least 18 years of age and not a party to	this action.	
7.	Person serving (name, address and telephone number):				
	ENRIQUE MENDEZ LA-3428 DDS LEGAL SUPPORT SYSTEMS 2900 BRISTOL ST. E-106			a. Fee for service: \$69.90	
				b. Not a registered California process server	
			MESA, CA. 92626 662-5555	c. Exempt from registration under B&P 22350(b)	
	(/	14)	002-5555	d. 🗷 Registered California process server	
8.		I an	n a California sheriff, marshal, or constable and I certify that	the foregoing is true and correct.	
			ler penalty of perjury that the foregoing is true and correct.		
				(Signature)	
			PROOF OF SERVICE - SUMMON	IS AND COMPLAINT	
ÇV-	1 (04	/01)		PAGE 2	

PETITIONER/PLAINTIFF: JENNIFER HART, SHEILA R. WASHINGTON
RESPONDENT/DEFENDANT: MENU FOODS INCOME FUND

CASE NUMBER:
07CV02779GHK(AJW)

DECLARATION OF KATHERINE J. ODENBREIT REGARDING NO ORDER OF COURT NEEDED TO FILE FIRST AMENDED COMPLAINT

